

REMARKS

Applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of December 15, 2004. Claims 1, 3, 4, 6, 10, 12 and 16 were amended. Claims 1 – 16 are pending. Reconsideration of the Application is requested.

The Examiner stated claims 1 and 10 were rejected under 35 USC 102(b) as being anticipated by US 5,720,193 to Dick. Independent claims 1 and 10 were amended to more particularly point out and distinctly claim the subject matter of the invention. Claim 1 was amended to recite a lip extending from the periphery of one assembly for sliding over and overlapping the outer surface of the other assembly as said first and second assemblies are pushed together towards the opposite sides of the trigger guard for mounting to the firearm. No new matter has been added by this amendment which is supported in the specification on page 8, lines 28-31, page 11, lines 18-21, page 13, lines 18-35, page 14, lines 29-34 and the drawings in Figures 5, 6, 11, and 15 among others.

Dick is constructed very differently than the invention as claimed and is secured to the firearm in a different manner than the safety device claimed by the application. The firearm lock disclosed by Dick does not have a lip sliding over and overlapping the outer surface of the other assembly as claimed in claim 1. Further, the two assemblies in Dick are not constructed to be pushed together towards opposite sides of the trigger guard for mounting them to the firearm as claimed in claim 1. As a result, claim 1 as amended, and claims 2-9 depending therefrom, are patentable over Dick.

Claim 10 was amended to recite a lip disposed about the periphery of one assembly for overlapping the outer surface of the entire periphery of the other assembly except for portions providing for the firearm to be disposed therebetween when said first and second assemblies are secured together. Dick does not teach or suggest this construction as claimed. As a result, claim 10 as amended, and claims 11-16 depending therefrom, are patentable over Dick.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1 – 16) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Patrick Floyd, at Telephone Number (216) 861-5582.

Respectfully submitted,

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Date

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